

Calendar No. 933

86TH CONGRESS
1ST SESSION

S. 1886

[Report No. 908]

IN THE SENATE OF THE UNITED STATES

MAY 7, 1959

Mr. Moss (for himself and Mr. MURRAY) introduced the following bill; which was read twice and referred to the Committee on Interstate and Foreign Commerce

SEPTEMBER 4 (legislative day, AUGUST 31), 1959

Reported by Mr. PASTORE, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To amend the Communications Act of 1934 with respect to community antenna television systems and certain rebroadcasting activities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 3 of the Communications Act of 1934 (47
4 U.S.C. 153) is amended by inserting at the end thereof
5 the following:

6 “(hh) ‘Community antenna television system’ means
7 any facility performing the service of receiving and amplify-
8 ing the signals transmitting programs broadcast by one or
9 more television stations and redistributing such programs,
10 by wire, to subscribing members of the public, but such term

1 shall not include ~~(1)~~ any such facility which serves fewer
 2 than fifty subscribers; ~~(2)~~ any such facility which serves only
 3 the residents of one or more apartment dwellings under
 4 common ownership, control, or management, and commer-
 5 cial establishments located on the premises, or ~~(3)~~ any such
 6 facility used only for the distribution, by wire, of programs
 7 for which a charge is imposed generally on all subscribers
 8 wherever located, and which are not in the first instance
 9 broadcast for reception without charge by all members of
 10 the public within the direct range of television broadcast
 11 stations."

12 SEC. 2. Section 318 of the Communications Act of 1934
 13 ~~(47 U.S.C. 318)~~ is amended by striking out "~~(3)~~ stations
 14 engaged in broadcasting, and ~~(4)~~", and inserting in lieu
 15 thereof "and ~~(3)~~".

16 SEC. 3. Section 319(d) of the Communications Act of
 17 1934 ~~(47 U.S.C. 319(d))~~ is amended by inserting before
 18 the period at the end thereof a colon and the following:
 19 "*And provided further, That if the Commission finds that*
 20 *the public interest, convenience, and necessity would be*
 21 *served thereby, it may waive the requirement of a permit for*
 22 *construction for a station that is engaged solely in rebroad-*
 23 *casting signals and was constructed on or before January 1,*
 24 *1959".*

25 SEC. 4. Subsection ~~(a)~~ of section 325 of the Communi-

1 eations Act of 1934 ~~(47 U.S.C. 325(a))~~ is amended by
2 inserting after the period at the end thereof the following:
3 "No community antenna television system ~~(as defined in~~
4 ~~section 3(hh) of this Act)~~ shall redistribute the program
5 or any part thereof of a broadcasting station without the
6 express authority of the originating station."

7 SEC. 5. Part I of the Communications Act of 1934 is
8 amended by inserting after section 329 ~~(47 U.S.C. 329)~~
9 a new section as follows:

10 "SEC. 330. ~~(a)~~ Upon request by the licensee of a regu-
11 lar television broadcast station ~~(other than a station engaged~~
12 ~~solely in rebroadcasting)~~ which is assigned to a city or com-
13 munity in which a community antenna television system
14 provides television programs to local subscribers, such com-
15 munity antenna television system shall regularly redistribute
16 programs broadcast by such local television broadcast station:

17 "(b) The Commission may, by rule or order, prescribe
18 such standards and conditions as it may find necessary to
19 assure that the reception of the programs redistributed by
20 the community antenna television system under subsection
21 ~~(a)~~ hereof shall be reasonably comparable in technical
22 quality to the reception of programs of other television sta-
23 tions redistributed by the community antenna television
24 system.

25 "(c) The Commission also may, by rule or order, pre-

1 scribe the period of time within which community antenna
2 television systems shall complete preparations for and com-
3 mence the redistribution of programs under subsections (a)
4 and (b) hereof.”

5 *That section 318 of the Communications Act of 1934 (47*
6 *U.S.C. 318) is amended by striking out “(3) stations en-*
7 *gaged in broadcasting, and” and insert in lieu thereof the*
8 *following: “(3) stations engaged in broadcasting (other than*
9 *those engaged solely in the function of rebroadcasting the*
10 *signals of television broadcast stations), and”.*

11 *SEC. 2. Section 319(d) of the Communications Act of*
12 *1934 (47 U.S.C. 319(d)) is amended by inserting after*
13 *the period at the end thereof the following: “If the Com-*
14 *mission finds that the public interest, convenience, and neces-*
15 *sity would be served thereby, it may waive the requirement*
16 *of a permit for construction of a station that is engaged*
17 *solely in rebroadcasting television signals if such station was*
18 *constructed on or before the date of enactment of this Act.”*

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2 than fifty subscribers, (2) any such facility which serves only
3 the residents of one or more apartment dwellings under
4 common ownership, control, or management, and commer-
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6 facility used only for the distribution, by wire, of programs
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18 the period at the end thereof a colon and the following:
19 “*And provided further*, That if the Commission finds that
20 the public interest, convenience, and necessity would be
21 served thereby, it may waive the requirement of a permit for
22 construction for a station that is engaged solely in rebroad-
23 casting signals and was constructed on or before January 1,
24 1959”.

25 SEC. 4. Subsection (a) of section 325 of the Communi-

1 cations Act of 1934 (47 U.S.C. 325 (a)) is amended by
2 inserting after the period at the end thereof the following:
3 "No community antenna television system (as defined in
4 section 3 (hh) of this Act) shall redistribute the program
5 or any part thereof of a broadcasting station without the
6 express authority of the originating station."

7 SEC. 5. Part I of the Communications Act of 1934 is
8 amended by inserting after section 329 (47 U.S.C. 329)
9 a new section as follows:

10 "SEC. 330. (a) Upon request by the licensee of a regu-
11 lar television broadcast station (other than a station engaged
12 solely in rebroadcasting) which is assigned to a city or com-
13 munity in which a community antenna television system
14 provides television programs to local subscribers, such com-
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18 such standards and conditions as it may find necessary to
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